

RCE, Amended 5/14/04

PTO/SB/30 (02/00)

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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provided for continued examination of a utility or plant application filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/822,161
Filing Date	March 30, 2001
First Named Inventor	Detmar et al.
Group Art Unit	1642
Examiner Name	Misook Yu
Attorney Docket Number	910000-2020

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## Submission required under C.F.R. § 1.114.

1.

- a. ☐ Previously submitted  
     i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
        (Any unentered amendment(s) referred to above will be entered)  
     ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_  
     iii. ☒ Other  
 b. ☒ Enclosed  
     i. ☒ Preliminary Amendment In Conjunction With A Request For Continued Examination Under 37 C.F.R. § 1.114  
     ii. ☐ Drawing Amendment w/formal versions of drawings  
     iii. ☒ Request for Five (5) Month Extension of Time (Small Entity)  
     iv. ☐ Other \_\_\_\_\_

2.

## Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103© for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(f) required)  
 b. ☐ Other \_\_\_\_\_

## Fees

3.

- The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.  
 a. ☒ One (1) Check in the amount of (1) \$1,390.00 is enclosed for the following:  
     i. ☒ (1) RCE fee required under 37 C.F.R. § 1.17(e): Small Entity  
     ii. ☒ (1) Extension of time fee (37 C.F.R. § 1.17)  
     iii. ☐ (2) Added claims fee  
     iv. ☐ Other \_\_\_\_\_  
 b. ☒ The Director is authorized to charge any additional fees, or credit any overpayments, to Deposit Account No. 50-0320.  
 c. ☐ Payment by credit card (Form PTO-2038 enclosed)

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Thomas J. Kowalski Amy Leahy	Registration No. (Attorney/Agent)	32,147 47,739
Signature	<i>Amy Leahy</i>	Date	March 29, 2004

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express mail on the date indicated below and is addressed to:  
 Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

EXPRESS MAIL LABEL NO.: EV 195882589 US

Name (Print/Type)	Barnet Shindelman	Date	March 29, 2004
Signature	<i>Barnet Shindelman</i>		

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